

## REMARKS

Rejection of Claims 1-2, 4, 7-20, 22 and 23 under 35 U.S.C. § 103 (a) as being unpatentable over US 6,163,644 (Owashi) in view of US 2002/0078176 (Nomura)

Applicant respectfully traverses the rejection of claims 1-2, 4, 7-20, and 23. Reconsideration is respectfully requested.

Applicant respectfully submits that the combination of Owashi and Nomura does not teach or suggest all the claim limitations as set forth in independent claims 1, 14, 15, and 23. For example, independent claim 1 recites “wherein said first time out message comprises a system time of day value and a time out limit indicating a time of day value by which an update message must be received,” independent claims 1, 14, 15, and 23 recite “calculating a current time of day based on the [system] time of day value and a local clock of [a] client [device],” and independent claims 15 and 23 recite “checking for a second time message, said second time message comprising a second system time of day value and a second expiration time of day value” which are not taught or suggested in the combination of Owashi and Nomura.

Owashi is directed to a technology for receiving and reproducing a digital signal, capable of efficiently recording a compressed, packeted digital signal. An input packet signal is added with a time stamp indicating a relative time of an arrival of the packet. The packet signals thus received are then recorded at reduced intervals. While reproduction, the packet intervals are restored to the original packet intervals in accordance with the time stamps received along with the input packet signals. During output of the digital information, at least one bit of the time stamp is changed in order to constrain reproduction. See Owashi, Abstract. Nomura is directed to a technology

related to a video-on-demand system for efficient commercial distribution of video data. See Nomura, Abstract.

Applicant respectfully disagrees with the Office Action's contention in item 5, pages 2-3, of the Office Action dated April 16, 2008 that "Owashi discloses ... receiving a first time out message operable for use with said rule, wherein said first time out message comprises system time of day value ... and a time out limit." The Office Action specifically refers to Owashi's reproduction limit as describing or being analogous to Applicant's "time out limit." However, Applicant's claim 1 recites "time out limit indicating a time of day value by which an update message must be received." In contrast, Owashi's reproduction limit is used to permit or inhibit the reproduction of the program e.g., permit reproduction only the day when the program was recorded or for three days or seven days after the record. See Owashi, col. 18, lines 43-46. Thus, Owashi fails to disclose a "time out limit indicating a time of day value by which an update message must be received."

Further, Applicant respectfully disagrees with the Office Action's statement that "Owashi discloses calculating the current time of day through a local clock ... where the local clock then determines the current time of day using the system time of day value received." The Office Action specifically refers to Owashi's date and time information indicating a date and time when a program information packet was received as describing or being analogous to Applicant's system time of day value. However, according to Applicant's specification, a system time of day value indicates a time of day for a geographic region's time zone that is synchronized with Greenwich Mean Time. See Applicant's specification, page 5, paragraph [0025]. In contrast, Owashi's date and time information refers to a date and time of arrival of a packet signal. Owashi's date and time information is used for adjusting packet intervals

between packet signals by a recording/reproducing apparatus. See Owashi, col. 2, lines 54 – col. 3, lines 15. Thus, Owashi fails to disclose Applicant’s “calculating a current time of day based on the [system] time of day value and a local clock of a client [device].”

Further, regarding Applicant’s feature of “checking for a second time message, said second time message comprising a second system time of day value and a second expiration time of day value,” the Office Action states that “Owashi does not explicitly state doing so for a previously stored video content.” Applicant’s agrees with the Office Action that Owashi fails to disclose Applicant’s such feature.

However, the Office Action appears to rely on Nomura for such. The Office Action specifically refers to Nomura’s renewing a rental period and/or upgrading a rental to a purchase as describing or being analogous to Applicant’s checking for a second time message. However, According to Applicant’s claims 15 and 23, the “second time message compris[es] a second system time of day value and a second expiration time of day value.” At most, Nomura discloses providing a customer with an authorization number for renewing or upgrading a transaction. See Nomura, paragraph [0045]. Thus, Nomura fails to disclose Applicant’s checking for a second time message having a system time of day value and an expiration time of day value.

For the above reasons, Applicant submits that claims 1, 14, 15, and 23 are not obvious in view of the combination of Owashi and Nomura, and therefore that the rejection of claims 1, 14, 15, and 23 under 35 USC 103(a) should be withdrawn. Applicant requests that claims 1, 14, 15, and 23 now be passed to allowance.

Dependent claims 2, 4, and 7-13 depend from, and include all the limitations of independent claim 1. Dependent claims 16-20 and 22 depend from and include all the limitations of independent claim 15. Therefore, Applicant respectfully requests

the reconsideration of dependent claims 2, 4, 7-13, 16-20, and 22 and requests withdrawal of the rejection.

### Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

Dated: July 16, 2008

Respectfully submitted,

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